

## 37 Am. Jur. 2d Fraud and Deceit § 156

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### Fraud and Deceit

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### IV. False Representations

#### G. Representations and Statements as to Particular Matters

#### 2. Title, Location, Quantity, and Quality of Property

##### a. Title, Ownership, and Encumbrances

##### (2) Transactions Involving Real Estate

## § 156. Ownership by third person

[Topic Summary](#) | [Correlation Table](#) | [References](#)

### West's Key Number Digest

West's Key Number Digest, [Fraud](#)  27, 28

### Trial Strategy

[Real-Estate Purchaser's Recovery of Damages in Tort for Fraudulent Misrepresentation of Quantity of Land Sold, 61 Am. Jur. Proof of Facts 3d 411](#)

Where one induces another through false and fraudulent representations to execute a contract for the purchase of real property assertedly owned by a third person, there is a cause of action in fraud for damages sustained where the third person has no right to convey the property.<sup>1</sup> False representations that the representor's personal property is owned by a third person are also actionable.<sup>2</sup>

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### Footnotes

<sup>1</sup> [Fisher v. Heer, 259 A.D. 952, 20 N.Y.S.2d 147 \(3d Dep't 1940\).](#)

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§ 152.

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